

January 2, 1974

PRESIDENT: The objection was only to lay it over. It wasn't to hearing the bill. The next motion properly probably was for Senator Luedtke then to have moved the bill be layed over at that particular time and the majority of those voting would have... could have sustained that motion. Now what is your pleasure regarding the bill, because at least the chair rules at this time that LB502 is in front of us, and we're debating the Luedtke amendments and the chair can't proceed until I have a motion otherwise to do something differently.

SENATOR WHITNEY: O.K. Mr. President. In view of the fact that I would like to conform to the rules of this Legislature, and to the fact that I would like to conform to what Senator Luedtke suggested. I ask unanimous consent to lay this over.

PRESIDENT: The motion is. Senator Whitney is asking unanimous consent to lay over LB502. Now, are there objections to laying over 502 on the basis that it does not have a fiscal note. It's my understanding.. Yes. Senator Carpenter.

SENATOR CARPENTER: We'll say specifically.

PRESIDENT: Beg pardon.

SENATOR CARPENTER: About the fiscal note with the bill.

PRESIDENT: Senator Whitney read the note. The portion of the rules.

SENATOR WHITNEY: It's on page 24, section 6. A in parenthesis. The last sentence. No bill which has the fiscal impact of more than \$5,000 shall be heard by a committee or considered on general file unless the fiscal note is attached. And it's not attached in my book. And this appears to be a controversial bill. And I feel that since it is controversial, that..and it's going to cost more than \$5,000. Senator Richendifer said maybe two million. I don't know what it is. Maybe more than two million. But we should have this fiscal note and comply with the rules.

SENATOR CARPENTER: Well Mr. President. I think the Senator is correct. If that's what the rule says. And I'm sure that it does. But we ought to adopt the policy now. Not allowing a technically rule to for-stall the consideration of bills. And I'm sure that this bill is going to cost a lot more than \$5,000. It's also my opinion that we have no choice except to facet. Because of the opinions of the Supreme Court that anybody who has committed a felony or a misdemeanor is entitled to counsel. And they're going to get it. Now if they want to nip pick to the point that this is going to be important. And I realize what the rule says, and I don't want to deviate from the rule. But then I would like to suggest to Senator Marvel and the fiscal staff. They get these things in here and put them on the bills. Because we've got another bottle neck on final readings. It says you can't read the fiscal bill until you pass the authorization, which is all right. But let's not put a lot of road blocks in here in order to for-stall and hold the proceedings of this community. Now, it doesn't make any difference how much it is going to cost. Really. Until you get onto final reading. Then if you don't like the cost vote against it. But don't in the meantime hold up a lot of stuff for example, because of a technicality of the rules which according to your interpretation I think is right. Would preclude to doing this. We've got a lot of bills coming up here. And as we found out this morning, there's ...all pretty involved with the several steps. Now I don't want to explain this bill. I'm for the bill, and the committee's for the bill. And we had little opposition to the bill. And I realize that there is some